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**MEMO ENDORSED**

May 1, 2020

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 5/1/2020

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VIA ECF

Hon. Valerie Caproni, USDJ  
United States District Court, Southern District of New York  
40 Foley Square, Room 240  
New York, NY 10007

Re: *Obesity Action Coalition v. Aetna, Inc. d/b/a Aetna Better Health, Inc.*,  
Civil Case No. 1:19-cv-04557

Dear Judge Caproni:

We represent Defendants Aetna Inc. and Aetna Better Health, Inc. (collectively, “Aetna”) in the above-referenced matter and write to provide a brief status update to the Court and request an additional 30-day stay of all pending deadlines in light of the parties’ settlement negotiations.

On April 21, 2020, Aetna published a revised bariatric surgery policy that eliminates the specific time requirements of which Plaintiff Obesity Action Coalition (“OAC”) complains. Counsel for OAC has informed me that he needs additional time to consult with his client regarding the policy change.

Accordingly, Aetna respectfully requests that:

- (1) All deadlines remain stayed; and
- (2) The parties be permitted to file a letter with the Court, on or before June 4, 2020, informing the Court as to the status of negotiations and whether a settlement has been reached.

OAC’s counsel has advised Aetna that OAC consents to the above requests.

Application GRANTED. The case will remain stayed. The parties must file a letter by **June 4, 2020** indicating whether a settlement has been reached.

SO ORDERED.

Respectfully submitted,

/s/ Earl B. Austin

Earl B. Austin



HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE

5/1/2020